

### REMARKS

Applicant expresses appreciation to the Examiner for the consideration of the subject patent application. The following comments are offered to overcome the rejections cited by the Office Action.

Claims 1 and 3-21 remain in the application. Claim 2 has been canceled without prejudice. Claims 1 and 3 have been amended. New claims 22-24 have been added without adding new subject matter.

#### **Claim Rejections - 35 U.S.C. § 112**

Claims 1-21 were rejected under § 112, 6th paragraph, because the use of the phraseology "configured to" was considered to be functional language. Applicant expresses appreciation to Examiner Wilson for the telephone conversation on December 5, 2000, wherein the use of the phraseology "configured to" was accepted as correct.

#### **Claim Rejections - 35 U.S.C. §§ 102 & 103**

Claims 1-3, 6-11, 14-17, 20 and 21 (including independent claims 1, 8 and 15) were rejected under 35 U.S.C. § 102(b) as being anticipated by Kelly. Claims 4, 5, 12, 13, 18 and 19 were rejected under 35 U.S.C. § 103 as being unpatentable over Kelly. Applicant respectfully traverses the rejections for the reasons set forth below.

Applicant respectfully submits that the Kelly reference fails to teach all the limitations of the claims. The Kelly reference teaches a configuration of a spray nozzle, not a suction nozzle. The Kelly reference discloses a "nozzle for attachment to a water extractor, which controls the spray pattern of the machine." Col. 1, lines 7-9. The Kelly reference teaches that "it is important to shape the spray pattern from the nozzle to a width no wider than the associated suction nozzle." Col. 1, lines 39-41. As shown in FIG. 2, the machine of Kelly has a suction head 16, and a single, elongated suction nozzle opening 30. Col. 3, lines 23-25. Also as shown in FIG. 2, the machine of Kelly has a nozzle tip 38 with a nozzle opening 40 adapted to spray fluid onto the surface to be cleaned. Col. 3, lines 37-39. FIGs. 5-6 show details of the nozzle tip 38 which sprays fluid, not the suction nozzle. Applicant respectfully submits that Kelly fails to teach all of the limitations of the claims, and that the claims are patentable over the prior art.

With respect to claims 4, 5, 12, 13, 18 and 19, the Office Action states that the specification contains no disclosure of either the critical nature of these claimed limitations or any unexpected results arising therefrom, and thus are considered to be arbitrary and obvious. Applicant respectfully submits that such limitations are not arbitrary or obvious, and directs attention to page 9, lines 9-13; page 12 line 9 through page 13,

line 4; and page 15, lines 4-15, where such limitations are described. Specifically, the limitations "the protrusions have a total surface area between the apertures less than a total area of the apertures" and "the protrusions have a width between the apertures less than a width of the apertures" reduce the surface area and increase the penetration.

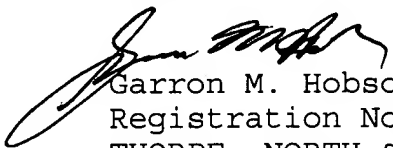
#### CONCLUSION

In light of the above, Applicant believes that claims 1 and 3-24 are now in condition for allowance. Therefore, Applicant requests that the rejections be withdrawn and that the claims be passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Garron M Hobson at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

Check No. 11494, is enclosed in the amount of \$18.00 for two additional claims over twenty. The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 13<sup>th</sup> day of February, 2001.

Respectfully submitted,



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